

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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TRACY HØEG, M.D., Ph.D.; RAM  
DURISETI, M.D., Ph.D.; AARON  
KHERIATY, M.D.; PETE  
MAZOLEWSKI, M.D.; and AZADEH  
KHATIBI, M.D., M.S., M.P.H.,

Plaintiffs,

v.

GAVIN NEWSOM, Governor of the  
State of California, in his  
official capacity; KRISTINA  
LAWSON, President of the  
Medical Board of California, in  
her official capacity; RANDY  
HAWKINS, M.D., Vice President  
of the Medical Board of  
California, in his official  
capacity; LAURIE ROSE LUBIANO,  
Secretary of the Medical Board  
of California, in her official  
capacity; MICHELLE ANNE BHOLAT,  
M.D., M.P.H., DAVID E. RYU,  
RYAN BROOKS, JAMES M. HEALZER,  
M.D., ASIF MAHMOOD, M.D.,  
NICOLE A. JEONG, RICHARD E.  
THORP, M.D., VELING TSAI, M.D.,  
and ESERICK WATKINS, members of  
the Medical Board of  
California, in their official  
capacities; and ROB BONTA,  
Attorney General of California,

No. 2:22-cv-01980 WBS AC

ORDER RELATING CASES

1 in his official capacity,  
2 Defendants.

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4 LETRINH HOANG, D.O.; PHYSICIANS  
FOR INFORMED CONSENT, a not-for  
5 profit organization; and  
6 CHILDREN'S HEALTH DEFENSE,  
CALIFORNIA CHAPTER, a  
7 California Nonprofit  
Corporation,

8 Plaintiffs,

9 v.

10 ROB BONTA, in his official  
capacity as Attorney General of  
11 California; and ERIKA CALDERON,  
in her official capacity as  
12 Executive Officer of the  
Osteopathic Medical Board of  
13 California,

14 Defendants.

15 PIERRE KORY, M.D., BRYAN TYSON,  
16 M.D., LETRINH HOANG, D.O.,  
PHYSICIANS FOR INFORMED  
17 CONSENT, a not-for-profit  
corporation, and CHILDREN'S  
18 HEALTH DEFENSE, a not-for-  
profit corporation,

19 Plaintiffs,

20 v.

21 ROB BONTA, in his official  
22 capacity as Attorney General of  
California, REJI VARGHESE, in  
23 his official capacity as  
Executive Director of the  
24 Medical Board of California,  
ERIKA CALDERON, in her official  
25 capacity as Executive Officer  
of the Osteopathic Medical  
26 Board of California,

27 Defendants.  
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No. 2:22-cv-02147 WBS AC

No. 2:24-cv-00001 DJC AC

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Examination of the above-entitled actions reveals that they are related within the meaning of Local Rule 123(a), because they involve First Amendment challenges to the discipline of physicians by the medical boards of California for the provision of Covid-19-related "misinformation." Accordingly, the assignment of the matters to the same judge is likely to effect a substantial saving of judicial effort and is also likely to be convenient for the parties.

Under the regular practice of this court, related cases are generally assigned to the judge and magistrate judge to whom the first filed action was assigned.

The parties should be aware that relating the cases under Local Rule 123 merely has the result that both actions are assigned to the same judge; no consolidation of the actions is effected. The parties should also be aware that, while the court has chosen to hear motions in the Høeg and Hoang matters concurrently, the Kory matter will proceed separately.

IT IS THEREFORE ORDERED that the actions denominated Høeg v. Newsom, 2:22-cv-01980 WBS AC, Hoang v. Bonta, 2:22-cv-02147 WBS AC, and Kory v. Bonta, 2:24-cv-00001 DJC AC, be, and the same hereby are, deemed related. The case denominated Kory v. Bonta, 2:24-cv-00001 DJC AC, shall be reassigned to the Honorable WILLIAM B. SHUBB. Any dates currently set in the reassigned case only are hereby VACATED. Henceforth, the captions on documents filed in the reassigned case shall be shown as Kory v. Bonta, 2:24-cv-00001 WBS AC.

IT IS FURTHER ORDERED that the Clerk of the Court make

an appropriate adjustment in the assignment of cases to  
compensate for this reassignment.

Dated: January 3, 2024



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WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE